

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

Case No.

18-1504-m

RICHARD WAYNE TURNER-SIERRA

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 8, 2018 in the county of Lehigh in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

21 U.S.C. § 841(a)(1), (b)(1)(B).

Offense Description

On or about August 8, 2018, in Lehigh County, in the Eastern District of Pennsylvania, defendant Richard Wayne Turner-Sierra knowingly and intentionally possessed with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B).

This criminal complaint is based on these facts:

See affidavit attached hereto.

☒ Continued on the attached sheet.

Complainant's signature

Ann M. Kirkland, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 09/25/2018

*Judge's signature*City and state: Allentown, Pennsylvania

HENRY S. PERKIN, United States Magistrate Judge

Printed name and title

AFFIDAVIT OF PROBABLE CAUSE

I, Ann M. Kirkland, Special Agent, Federal Bureau of Investigation (FBI), (hereafter referred to as affiant) being duly sworn under oath and deposed, state the following:

1. I am a Special Agent with the FBI assigned to the Philadelphia, Pennsylvania Division, Allentown Resident Agency. As such, I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, §2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, execute warrants issued under the authority of the United States and to make arrests for, offenses enumerated in Title 18, United States Code. As a result of my training and experience, and that of other investigators, I am familiar with evidence needed in a criminal complaint affidavit to establish probable cause.

2. I have been employed as a Special Agent with the FBI for over twenty-two years and am currently assigned to the FBI's Allentown Resident Agency, FBI Violent Gang Task Force. During my tenure with the FBI, I have received over 1,000 hours of training and have conducted, participated in, and supervised numerous investigations of criminal activity, including but not limited to, the investigation of bank robberies, outlaw motorcycle gangs, mail/wire fraud, fugitives, extortions, interstate thefts, kidnappings, violent drug trafficking organizations/street gangs/criminal enterprises and narcotics, among other federal violations. As a result of numerous investigations, I have gained extensive experience in gathering evidence to obtain search warrants, debrief defendants, witnesses, informants, and other persons who have had personal experience and knowledge of the trafficking of illegal controlled substances, to include heroin, marijuana, methamphetamine and both powder and crack cocaine. I have conducted physical and electronic surveillance, debriefed confidential sources, and have obtained

and executed well over 100 federal search warrants on a wide variety of investigative matters to include the trafficking of illegal controlled substances.

3. I have personally participated in the investigation set forth below. I am familiar with the facts and circumstances of the investigation through my personal participation, from discussions with other investigators assigned to the FBI Violent Gang Task Force and other law enforcement agencies, from my discussions with witnesses involved in the investigation, and from my review of records and reports relating to the investigation. The statements in this Affidavit are based in part on information received personally during my investigation of this matter as well as information obtained by other law enforcement personnel. Such statements are among many statements made by others and are stated in substance and in part unless otherwise indicated.

4. This affidavit is being submitted in support of a criminal complaint and arrest warrant charging RICHARD TURNER-SIERRA, date of birth (DOB [REDACTED]) with a violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B) (possession of 500 grams or more of cocaine, a schedule II controlled substance with the intent to distribute).

5. In April 2018, your Affiant, FBI Task Force Officer (TFO) Evan Weaver and FBI TFO Randy Fey, along with the Allentown Police Department (APD) Vice Unit and the FBI's Violent Gang Task Force (VGTF) initiated an investigation into a drug trafficking organization (DTO) distributing cocaine in Allentown, Pennsylvania. Investigators identified RICHARD TURNER-SIERRA, among others, as a drug trafficker participating in this DTO responsible for distributing cocaine from Puerto Rico to Allentown.

6. On June 22, 2018, law enforcement conducted surveillance in the vicinity of 944 Liberty Street, 3rd floor rear apartment, in Allentown Pennsylvania. At approximately 10:40

a.m., law enforcement observed a male known to them but not named in this affidavit exit the door of the apartment. Investigators then observed TURNER-SIERRA assisting carry a box from inside of the 944 Liberty Street, 3rd floor rear apartment, and place the box into a black Ford Explorer bearing Pennsylvania license plate KLG6342. Pennsylvania Department of Transportation records reflect that the black Ford Explorer, Pennsylvania license plate KLG6342 is registered to Francisco Javier Cruz-Pica, 335 East Howe Street, Allentown Pennsylvania, with a vehicle identification number (VIN) ending in 41660. Investigators then observed TURNER-SIERRA and the male depart the area in the black Ford Explorer.

7. On August 2, 2018, investigators conducted surveillance in the vicinity of 524 Fountain Street, in Allentown, Pennsylvania. TFO Weaver observed a black Ford Explorer parked in front of 524 Fountain Street bearing Pennsylvania license plate KSL4331, with a temporary tag displayed in the rear window. Pennsylvania Department of Transportation records reflect that the black Ford Explorer, Pennsylvania license plate KSL4331 is registered to TURNER-SIERRA, at 524 Fountain Street, in Allentown, Pennsylvania with a VIN number ending in 41660. Pennsylvania Department of Transportation records for VIN number ending in 41660 reflect the vehicle was previously owned by Cruz-Pica.

8. On August 2, 2018, investigators conducted a query via the JNet and determined that TURNER-SIERRA has a Pennsylvania Identification Card which lists his residence address as 524 Fountain Street, in Allentown, Pennsylvania. TURNER-SIERRA does not have a valid Pennsylvania driver's license.

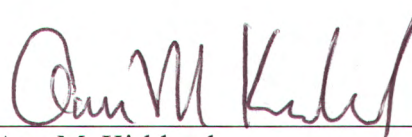
9. On August 8, 2018, at approximately 4:00 p.m., TFO Weaver and TFO Fey were driving in the vicinity of 1142 Turner Street, Rear Garage, in Allentown, Pennsylvania. TFO Weaver observed TURNER-SIERRA in the driver's seat of the black Ford Explorer bearing

Pennsylvania license plate KTZ5574, parked directly in front of 1142 Turner Street, Rear Garage. TFOs Weaver and Fey observed TURNER-SIERRA pull from the parking spot and followed him from the area. Based upon his knowledge that TURNER-SIERRA did not have a valid driver's license, TFO Weaver called for an APD marked police unit to conduct a traffic stop of the Ford Explorer. APD Officer Walter Oquendo conducted a traffic stop on the black Ford Explorer in the 800 block of Liberty Street. Officer Oquendo advised TURNER-SIERRA that, due to his lack of a valid driver's license, the vehicle was going to be towed and inventoried pursuant to APD policy and procedures. Officer Oquendo conducted an inventory search of the vehicle and located a cardboard box on the rear seat of the vehicle. Officer Oquendo observed four blocks of suspected cocaine wrapped in plastic inside this box in the back seat. APD Sergeant Karl Kozlowski informed TURNER-SIERRA there was something in the back seat that was not good and TURNER-SIERRA uttered he had a "kilo of coke," whereupon TURNER-SIERRA was placed in custody. The black Ford Explorer was transported to the Allentown Police Department. Officer Oquendo conducted a field test on the four blocks of suspected cocaine recovered from the vehicle which did test positive for the presence of cocaine. SA Kirkland conducted a field weighing of the four blocks of the suspected cocaine which had a total weight of over 500 grams.

10. The four blocks of suspected cocaine were submitted to the Pennsylvania State Police (PSP) Laboratory for further processing.

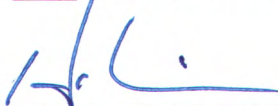
11. Based on the foregoing, I have probable cause to believe that TURNER-SIERRA possessed with intent to distribute 500 grams or more of cocaine, a schedule II controlled

substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).



Ann M. Kirkland
Special Agent
Federal Bureau of Investigation

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 25th DAY OF SEPTEMBER, 2018



HONORABLE HENRY S. PERKIN
United States Magistrate Judge